

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

ELIZABETH ANN MAYER,)	
)	
Plaintiff,)	
)	
v.)	3:06-cv-174-RLY-WGH
)	
SILGAN CLOSURES,)	
)	
Defendant.)	

ORDER DENYING DEFENDANT’S MOTION TO DISMISS

On April 4, 2007, the Defendant, Silgan Closures, filed a Motion to Dismiss for failure to state a claim upon which relief can be granted.

The Court notes that at Docket No. 9 the *pro se* Plaintiff did provide to the Court a copy of what appears to be a Charge of Discrimination signed by her on February 22, 2006. The “Charge” does not contain any indication that it was actually filed or received by the Equal Employment Opportunity Commission or the Human Relations Commission. Nevertheless, it does describe a conceivable set of facts and alleges causes of action for discrimination based on the *pro se* Plaintiff’s gender, age, and perhaps arising out of retaliation. Based on the checking of the appropriate boxes, and specifically and particularly considering the facts alleged in paragraphs III(I) and (J) found in the “Charge,” the Court can discern that the *pro se* Plaintiff has stated a cause of action for discrimination based on her gender, age, and perhaps in retaliation for

exercising protected rights. Therefore, the Defendant's Motion to Dismiss (Docket # 17) is **DENIED**.

It is **SO ORDERED** this 29th day of May 2007.

A handwritten signature in blue ink, appearing to read 'R. Young', is written over a horizontal line.

RICHARD L. YOUNG, JUDGE
United States District Court
Southern District of Indiana

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